

ABSENTEE VOTING INSTRUCTIONS

Please read careful. New provisions on the delivery of absentee applications were passed by the Alabama State Legislature this year (2021).

Absentee Voting Eligibility

A voter may cast an absentee ballot if he or she

- EXPECTS TO BE ABSENT FROM THE COUNTY on election day
- IS ILL OR HAS A PHYSICAL DISABILITY that prevents a trip to the polling place
- IS A REGISTERED ALABAMA VOTER LIVING OUTSIDE THE COUNTY, such as a member of the armed forces, a voter employed outside the United States, a college student, or a spouse or child of such a person
- IS AN APPOINTED ELECTION OFFICER OR POLL WATCHER at a polling place other than his or her regular polling place
- EXPECTS TO WORK A REQUIRED SHIFT, 10-HOURS OR MORE, that coincides with polling hours
- IS A CAREGIVER for a family member to the second degree of kinship by affinity or consanguinity and the family member is confined to his or her home
- IS CURRENTLY INCARCERATED in prison or jail and has not been convicted of a felony involving moral turpitude

The absentee ballot application must be received by the City Clerk/ Absentee Election Manager by the 7th day prior to the election if delivered by mail and the 5th day prior to the election if delivered by hand.

EMERGENCY ABSENTEE VOTING applications can be made after the absentee deadline but no later than 5 PM on the day before the election, if the voter:

- is required by an employer under unforeseen circumstances to be unavailable at the polls on the day of the election
- is a caregiver of a person who requires emergency treatment by licensed physician within five days before an election
- has a family member to the second degree of kinship by affinity or consanguinity die within five days before an election

MEDICAL EMERGENCY ABSENTEE VOTING applications can be made by a voter who has a medical emergency requiring treatment from a licensed physician within 5 days of an election. During that 5 day period, the medical emergency absentee ballot application and the voted absentee ballot must be returned no later than noon on the day the election is held. The medical emergency absentee ballot application requires that the attending physician describe and certify the circumstances as constituting an emergency. The voter may designate someone to turn in the medical emergency absentee ballot application, receive the absentee ballot on behalf of the voter, and return the voted absentee ballot to the Absentee Election Manager on behalf of the voter.

Absentee ballot application

To obtain an absentee ballot, write (Lee Frazier, City Clerk | Office of the City Clerk- 3rd Fl, 710 N. 20th St., Birmingham, AL 35203) or visit the City Clerk/ Absentee Election Manager of the City of Birmingham, request an absentee ballot, and provide the following:

- name and residential address (or other such information in order to verify voter registration)
- **a copy of your valid photo identification**

- Municipal election for which the ballot is requested (**Municipal Election or Municipal Runoff Election box should be checked**)
- reason for absence from polls on election day
- address to which the ballot should be mailed
- voter signature. (Signature must be original, electronic signatures will not be accepted. If a mark is made in place of a signature, it must be witnessed.)

The absentee ballot application must be returned to the City Clerk/ Absentee Election Manager by the voter in person (or by the **voter's designee in the case of medical emergency voting**), by U.S. Mail, or by commercial carrier. **No absentee ballot application may be mailed in the same envelope as another voter's absentee ballot application.**

Upon receiving the absentee ballot application, the City Clerk/ Absentee Elections Manager may request additional evidence on the reason for voting absentee if the voter has a history of absentee voting. Absentee ballot applications **returned by mail must be received no later than 7 days before the election**. Absentee ballot applications **returned by hand must be received no later than 5 days before the election**.

BALLOT RECEIPT/RETURN

If the absentee ballot application is approved, the Absentee Election Manager

- forwards the absentee ballot by U.S. Mail, or
- personally hands the absentee ballot to the voter (or to a designee in the case of medical emergency absentee voting)

Ballot Procedure

The absentee ballot comes with three envelopes -- one plain (the secrecy envelope), one with an affidavit, or oath, printed on the outside, and one plain envelope, preaddressed (the outer envelope). Once the voter casts the ballot, the procedure is as follows:

- Seal the ballot in the plain envelope
- Place the plain envelope inside the accompanying affidavit envelope
- Seal the affidavit envelope and complete the affidavit that is on the outside of the envelope
- Sign the affidavit and have the signature witnessed by either a notary public or two witnesses 18 years of age or older
- Place the affidavit envelope and a **COPY** of voter identification inside the outer envelope
- Remember to place a copy of your I.D. (**NOT THE ORIGINAL**) inside the outer envelope

WITNESSES OR NOTARIZATION

An absentee ballot cannot be counted unless the affidavit is **notarized or has the signatures of two witnesses**.

The voter has only the following legal ways to return the absentee ballot:

- forwards the absentee ballot by U.S. Mail, or
- personally hands the absentee ballot to the absentee election manager (or delivers by a designee in the case of emergency absentee voting)

VOTING DEADLINE

An absentee ballot returned by mail must be postmarked no later than the day prior to the election and received by the Absentee Election Manager no later than noon on election day. If hand-delivered, the

ballot must be in the office of the Absentee Election Manager by the close of business (but no later than 5 p.m.) on the day prior to the election.

ONSITE ABSENTEE VOTING

Individuals may vote onsite at City Hall- 710 North 20th Street- 3rd Floor (Conference Room "A") between the hours of 8:00 a.m. until 5:00 p.m., Monday – Friday.

Onsite absentee voting will end Thursday, August 19, 2021 at 5:00 p.m.

Absentee ballot applications returned by mail must be received no later than Tuesday, August 17, 2021.

Lee Frazier, City Clerk
Office of the City Clerk- 3rd Fl
710 North 20th Street
Birmingham, Al 35203

(205) 254-2290

APPLICATION FOR MUNICIPAL ABSENTEE BALLOT

FORM AV-M1
Date Revised 09/03/2019

Return this application to: Lee Frazier, City Clerk
Office of the City Clerk- 3rd Fl
710 N. 20th Street | Birmingham, AL 35203

COUNTY, ALABAMA

Please note that only one application may be placed in the same envelope.

Please note that a copy of your valid photo identification must be submitted along with this application.

General Voter Information - Please provide complete information so that we may verify your eligibility to vote.

Last Name (Please print)		First Name		Middle or Maiden Name		E-mail Address					
Street Address (address where you are registered to vote; do not use PO box)					City		ZIP				
Mail my ballot to the address where I regularly receive mail, if different from the street address provided above											
Precinct where you vote (name and/or location of your polling place)											
Date of Birth		Month	Day	Year	Driver's License Number		IF NO DRIVER'S LICENSE NUMBER				
Home Telephone Number ()		Work Telephone Number ()		STATE	NUMBER		Last 4 digits of Social Security number	[]	[]	[]	[]

For all registered voters

I hereby make application for an absentee ballot so that I may vote in the following election:

- Municipal Election
- Special Municipal Election (specify) _____
- Municipal Runoff Election

Absentee ballots for municipal elections more than 42 days apart must be requested on separate applications

I am applying for an absentee ballot because (check at least one box):

- I expect to be out of the county or the state on election day.
- I have a physical illness or infirmity which prevents my attendance at the polls. [ID Required]
- *I have a physical illness or infirmity which prevents my attendance at the polls. I am unable to access my assigned polling place due to a neurological, musculoskeletal, respiratory (including speech organs), cardiovascular, or other life-altering disorder that affects my ability to perform manual tasks, stand for any length of time, walk unassisted, see, hear or speak and:

- a) I am an elderly voter aged 65 or older; or
- b) I am a voter with a disability.

*ID Not Required

- I expect to work a shift which has at least ten (10) hours that coincide with the polling hours at my regular polling place.
- I am enrolled as a student at an educational institution located outside the county of my personal residence, attendance at which prevents my attendance at the polls.
- I am a member of, or a spouse or dependent of a member of, the Armed Forces of the United States or am otherwise similarly qualified to vote absentee pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. § 20302.
- This application for an absentee ballot will be valid for all county, state, and federal elections held during this calendar year unless you specify an earlier expiration date here: _____ [ID Not Required]
- I have been appointed as an election officer at a polling place which is not my regular polling place.
- I am a caregiver for a family member to the second degree of kinship by affinity or consanguinity and the family member is confined to his or her home.
- I am currently incarcerated in prison or jail and have not been convicted of a felony involving moral turpitude. (See back for felonies involving moral turpitude.)

When I apply for this absentee ballot, I understand that my name will be stricken from the list of qualified electors and, when I cast this absentee ballot, I understand that I will not be entitled to vote at my regular polling place.

Voter's Signature	Complete this section if voter signs by mark 	Witness Signature
		Print Witness Name

The voter may hand this application to the Absentee Election Manager. The voter may also forward this application to the Absentee Election Manager by U.S. Mail or commercial carrier [§17-11-3 and §17-11-4, Code of Alabama, 1975].

READ PENALTIES ON BACK

CRIMES INVOLVING MORAL TURPITUDE

Pursuant to Code of Alabama (1975) Section 17-3-30.1

- Murder – Section 13A-5-40 (A) 1-19
- Murder (Non-Capital, Reckless, Felony Murder, etc.) – Section 13A-6-2
- Manslaughter – Section 13A-6-3 Exceptions: 13A-6-20 (A) (5) and 13A-6-21
- Assault 1st Degree – Section 13A-6-20
- Assault 2nd Degree – Section 13A-6-21
- Kidnapping 1st Degree – Section 13A-6-43
- Kidnapping 2nd Degree – Section 13A-6-44
- Rape 1st Degree – Section 13A-6-61
- Rape 2nd Degree – Section 13A-6-62
- Sodomy 1st Degree – Section 13A-6-63
- Sodomy 2nd Degree – Section 13A-6-64
- Sexual Torture – Section 13A-6-65.1
- Sexual Abuse 1st Degree – Section 13A-6-66
- Sexual Abuse 2nd Degree – Section 13A-6-67
- Sexual Abuse of a child less than 12 years old – Section 13A-6-69.1
- Enticing a child to enter a vehicle, house, etc. for immoral purposes – Section 13A-6-69
- Facilitating solicitation of unlawful sexual conduct with a child – Section 13A-6-121
- Electronic solicitation of a child – Section 13A-6-122
- Facilitating the on-line solicitation of a child – Section 13A-6-123
- Traveling to meet a child for an unlawful sex act – Section 13A-6-124
- Facilitating the travel of a child for an unlawful sex act – Section 13A-6-125
- Human Trafficking 1st Degree – Section 13A-6-152
- Human Trafficking 2nd Degree – Section 13A-6-153
- Terrorism – Section 13A-10-152
- Soliciting or providing support for an act of terrorism – Section 13A-10-153
- Hindering prosecution of terrorism – Section 13A-10-154
- Endangering the water supply – Section 13A-10-171
- Possession, manufacture, transport, or distribution of a destructive device or bacteriological weapon, or biological weapon – Section 13A-10-193
- Selling, furnishing, giving away, delivering, or distribution of a destructive device, a bacteriological weapon, or biological weapon to a person who is less than 21 years of age – Section 13A-10-194
- Possession, manufacture, transport, or distribution of a detonator, explosive, poison, or hoax device – Section 13A-10-195
- Possession or distribution of a hoax device represented as a destructive device or weapon – Section 13A-10-196 (c)
- Attempt to commit an explosives or destructive device or bacteriological or biological weapons crime – Section 13A-10-197
- Conspiracy to commit an explosives or destructive device or bacteriological or biological weapons crime – Section 13A-10-198
- Hindrance or obstruction during detection, disarming, or destruction of a destructive device or weapon – Section 13A-10-199
- Possession or distribution of a destructive device or weapon intended to cause injury or destruction – Section 13A-10-200
- Treason – Section 13A-11-2
- Dissemination or public display of obscene matter containing visual depiction or persons under 17 years of age involved in obscene acts – Section 13A-12-191
- Possession and possession with intent to disseminate obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts – Section 13A-12-192
- Parents or guardians permitting children to engage in production of obscene matter – Section 13A-12-196
- Production of obscene matter containing visual depiction of persons under 17 years of age involved in obscene acts – Section 13A-12-197
- Distribution, possession with intent to distribute, production of obscene material, or offer or agreement to distribute or produce – Section 13A-12-200.2
- Trafficking in cannabis, cocaine, or other illegal drugs or trafficking in amphetamine and methamphetamine – Section 13A-12-231
- Bigamy – Section 13A-13-1
- Incest – Section 13A-13-3
- Torture or other willful maltreatment of a child under the age of 18 – Section 26-15-3
- Aggravated child abuse – Section 26-15-3.1
- Prohibited acts in the offer, sale, or purchase of securities – Section 8-6-17
- Burglary 1st Degree – Section 13A-7-5
- Burglary 2nd Degree – 13A-7-6
- Theft of Property 1st Degree – Section 13A-8-3
- Theft of Property 2nd Degree – Section 13A-8-4
- Theft of Lost Property 1st Degree – Section 13A-8-7
- Theft of Lost Property 2nd Degree – Section 13A-8-8
- Theft of trademarks or trade secrets – Section 13A-8-10.4
- Robbery 1st Degree – Section 13A-8-41
- Robbery 2nd Degree – Section 13A-8-42
- Robbery 3rd Degree – Section 13A-8-43
- Forgery 1st Degree – Section 13A-9-2
- Forgery 2nd Degree – Section 13A-9-3
- Aggravated Theft by Deception – Section 13A-8-2.1
- Any crime as defined by the laws of the United States or by the laws of another state, territory, country, or other jurisdiction, which, if committed in this state, would constitute one of the offenses listed in this subsection.

PENALTIES

§17-17-24, Code of Alabama, 1975, as amended

(a) Any person who willfully changes an absentee voter's ballot to the extent that it does not reflect the voter's true ballot, any person who willfully votes more than once by absentee ballot in the same election, any person who willfully votes for another voter or falsifies absentee ballot applications or verification documents so as to vote absentee, or any person who solicits, encourages, urges, or otherwise promotes illegal absentee voting, shall be guilty, upon conviction, of a Class C felony. Any person who willfully aids any person unlawfully to vote an absentee ballot, any person who knowingly and unlawfully votes an absentee ballot, and any voter who votes both an absentee and a regular ballot at any election shall be similarly punished.

(b) Upon request by the local district attorney or the Secretary of State, the Attorney General shall provide investigating assistance in instances of absentee ballot or voting violations.

(c) Nothing in this section shall be construed to impede or inhibit organized legal efforts to encourage voter participation in the election process or to discourage a candidate from encouraging electors to lawfully vote by absentee ballot.